

JONES DAY

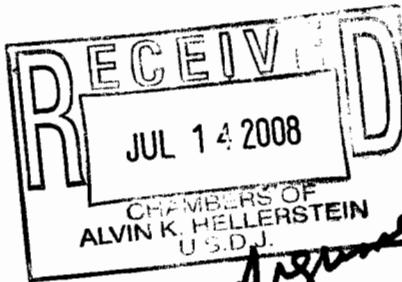
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July 11, 2008



BY FAX (212) 805-7942

The Honorable Alvin K. Hellerstein
United States District Judge
United States District Court for the
Southern District of New York
500 Pearl Street, Room 1050
New York, NY 10007

Re: New York Produce Trade Association, Inc. v. Local Union No. 202, an Affiliate of the International Brotherhood of Teamsters, 08 Civ. 4230 (AKH)

Dear Judge Hellerstein:

Pursuant to Rule 1.D of this Court's Individual Rules, Plaintiff New York Produce Trade Association ("the Association") requests that the Court continue the oral argument scheduled for 4:00 p.m. on Tuesday, July 22, 2008 until Tuesday, September 23, 2008 because the parties are scheduled to participate in a mediation session later this month.

We have communicated with Larry Cary, Defendant's attorney, several times in an attempt to obtain Defendant's consent to the adjournment. Since Mr. Cary has yet to confirm Defendant's agreement as of 3:00 p.m. today, Plaintiff submits this request for a continuance without Defendant's consent given that oral argument is scheduled for July 22.

Should the Court grant this continuance, Plaintiff intends to reserve the right to resume litigation and pursue all available remedies in this Court should mediation prove unsuccessful.

Arguement is canceled and
will be re-scheduled following
mediation upon request of either
party. 7-15-08
John C. Smith

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Plaintiff has not previously requested an adjournment or extension of time in this matter. There are no other previously scheduled dates in this case that affect the Association's request for a continuance.

Respectfully,


Willis J. Goldsmith (VME)

cc: Larry Cary, Esq. (via fax)
Roger H. Madon, Esq. (via fax)
Vicki R. Walcott-Edim, Esq. (by hand)